

RESOLUTION NO. 2013 – 05

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY  
TO THE COMMUNITY DEVELOPMENT COMMISSION AS  
THE NATIONAL CITY REDEVELOPMENT AGENCY APPROVING THE  
SUCCESSOR AGENCY'S APRIL 16, 2013 DETERMINATION THAT A DISPUTE EXISTS  
BETWEEN THE OVERSIGHT BOARD AND THE SAN DIEGO COUNTY AUDITOR-  
CONTROLLER AS TO AUDITOR-CONTROLLER COMMENTS AND FINDINGS ON  
(i) THE SUCCESSOR AGENCY'S RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR  
THE PERIOD JULY 1, 2013 THROUGH DECEMBER 31, 2013 (ROPS 13-14A), AND  
(ii) THE RECONCILIATION OF THE SUCCESSOR AGENCY'S RECOGNIZED OBLIGATION  
PAYMENT SCHEDULE FOR THE PERIOD JULY 1, 2012 THROUGH DECEMBER 31, 2012  
(ROPS 2), AND RATIFYING A LETTER DATED MARCH 28, 2013 AND TRANSMITTED BY  
THE SUCCESSOR AGENCY REFERRING THESE MATTERS TO THE  
CALIFORNIA DEPARTMENT OF FINANCE

WHEREAS, the San Diego Auditor-Controller has reviewed and objected to the Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013 (ROPS 13-14a), and the reconciliation of the Recognized Obligation Payment Schedule for the period July 1, 2012 through December 31, 2012 (ROPS 2), as said ROPS 13-14a and ROPS 2 were reviewed and approved by the Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency") and this Oversight Board; and

WHEREAS, California Health and Safety Code Section 34182.5 vests this Oversight Board, if it disputes a finding of the San Diego Auditor-Controller, with the authority and responsibility to refer such a dispute to the attention of the California Department of Finance for a determination of what will ultimately be approved for inclusion in the ROPS 13-14A and ROPS 2 of the Successor Agency; and

WHEREAS, on April 16, 2013, at a regularly scheduled public meeting, the Board of the Successor Agency received, reviewed and approved a letter dated March 28, 2013 and transmitted by the Successor Agency to the California Department of Finance and the San Diego County Auditor-Controller (Letter); and

WHEREAS, on April 17, 2013, at a regularly scheduled public meeting, this Oversight Board reviewed, considered and approved said Letter, and determined by a majority vote that the disputes identified in the Letter warrant referral to the California Department of Finance so that the financial interests of the Successor Agency and each of its taxing entities may be carefully considered and correctly determined; and

WHEREAS, all actions of this Oversight Board are adopted by resolution in accord with California Health and Safety Code Section 34179, subdivision (e).

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency hereby approves that certain letter dated March 28, 2013 and transmitted by the Successor Agency to the California Department of Finance and the San Diego County Auditor-Controller, a copy of which is attached to this Resolution and incorporated by this reference herein as **EXHIBIT A**; and

BE IT FURTHER RESOLVED that **Exhibit A** shall be and represent the referral by this Oversight Board to the California Department of Finance of all matters addressed therein, setting forth the grounds upon which this Oversight Board disputes findings of the San Diego County Auditor-Controller; and

BE IT FURTHER RESOLVED that the Oversight Board makes this approval based upon the true and correct recitals above, each of which it hereby incorporates into this Resolution by this reference; and

BE IT FURTHER RESOLVED that notice of this Resolution shall be transmitted to the state Department of Finance by electronic means and shall take effect at the time provided in California Health and Safety Code Section 34179, subdivision (h); and

BE IT FURTHER RESOLVED that the Oversight Board Secretary and/or Successor Agency Secretary shall certify to the adoption of this Resolution.


The foregoing resolution was duly and regularly PASSED and ADOPTED at a regular meeting of the Oversight Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency on this 17<sup>th</sup> day of April, 2013, by the following vote:

AYES: Aguirre, Desrochers, Morrison, Perri, Hentschke


NOES: None

ABSENT: Carson, Donaldson

ABSTAIN: None

  
Ron Morrison, Chairman

ATTEST:

  
Brad Raulston, Executive Director  
Secretary to the Oversight Board

APPROVED AS TO FORM:

  
Edward Z. Kotkin  
Cummins & White  
Oversight Board Counsel